

**MEMO ENDORSED**

HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
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May 6, 2022

**VIA ECF**

Hon. Katherine H. Parker  
Daniel F. Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *M.W., et. al. v. N.Y.C Dep't of Educ., No. 22-cv-1200 (JPO)(KHP)*

Dear Judge Parker:

I am Special Assistant Corporation Counsel in the office of Corporation Counsel, Sylvia O. Hinds-Radix, attorney for Defendant in the matter referenced above, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act 20 U.S.C. §1400, *et. seq.* ("IDEA"), as well as for this action.

I write to respectfully request a 30-day extension of time to respond to the complaint, from May 9 to June 9, 2022. This is the second request for an extension and Plaintiff consents. Your Honor granted the first request on March 8, 2022 (ECF 11). Further, the parties jointly request an extension of time to submit a Proposed Case Management Plan ("CMP") from May 10 to June 10, 2022, and an adjournment of the Initial Conference from May 17 to June 17, 2022.

The requested extension will give the parties time to engage in meaningful settlement discussions that will hopefully lead to the resolution of this case without need for a conference or motion practice. This office has successfully resolved many dozens of actions seeking solely IDEA fees and costs with the Dayan Firm, and Defendant expects this case to follow that same course.

Accordingly, Defendant respectfully requests that the Court accept this submission and extend Defendant's deadline to respond to the complaint to June 9, 2022, extend the deadline for submission of the CMP to June 10, 2022, and adjourn the Initial Conference to June 17, 2022

Thank you for considering these requests.

Respectfully submitted,

Simone Nicholson

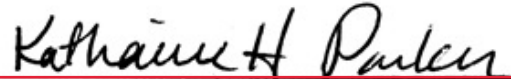
*/s/ W. Simone Nicholson*

Special Assistant Corporation Counsel

cc: Adam Dayan (via ECF)

**APPLICATION GRANTED:** Defendant's deadline to respond to the complaint is hereby extended to **June 9, 2022.** The Case management plan will be due **June 10, 2022.** The Initial Case Management Conference in this matter that is scheduled for Tuesday, May 17, 2022 at 10:00 a.m. in Courtroom 17D, 500 Pearl Street, New York, NY 10007 is hereby rescheduled to **Friday, June 17, 2022 at 10:00 a.m.**

**APPLICATION GRANTED**



**Hon. Katharine H. Parker, U.S.M.J.**

05/08/2022